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Applicant has amended the claims 1, 3, 10, 13, 17 and 18. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected the claim 13 under 35 USC 112, second paragraph. In view of the amendments to claim 13, Applicant respectfully submits that claim 13 complies with the requirements of 35 USC 112, second paragraph.

The Examiner has rejected the claims 1 through 4, 7, 8, 10 through 15 and 17 and 18 under 35 USC 103 as being obvious over Applicant's submitted prior art in view of Malackowski et al. stating that Applicant's submitted prior art teaches a connection assembly detachably connected to a main body of a dental apparatus for use in dental diagnosis and treatment wherein the connection assembly has a communication means for sending to the main body ID information necessary for driving the connection assembly and upon connection of the instrument 101 to the main body of the apparatus, identification signals are actively outputted for individually identifying the instrument 101 to the main body of the apparatus from the identification signal output means 106 via the connection terminal 106e, then the main body of the apparatus specifies which instrument is connected to supply driving power, water, air and so on corresponding to the connected instrument, but does not teach sending from the connection assembly to the main body functional information for driving said connection assembly; Malackowski et al. teaches a connecting assembly detachably connected to a main body of a surgical apparatus wherein said connection assembly has a communication means for sending to said main body functional information comprising a parameter for driving said connection assembly, function information in this case is the information that identifies the type of handpiece, information that describes the operating characteristics of the handpiece motor and other types of information that can be used to regulate the operation of the handpiece; and it would have been obvious to one of ordinary skill in the art to modify Applicant's submitted prior art in view of the teachings of Malackowski et al.

Applicant has carefully reviewed Applicant's submitted prior art, particularly JP 2002-35009, and respectfully submits that Applicant's submitted prior art merely discloses an instrument for sending identification signals and nothing more. In particular, Applicant respectfully submits that Applicant submitted prior art does not disclose a communication means for sending to the main body functional information consisting of a control program which is executed by the main body to drive the connection assembly.

Applicant has also carefully reviewed Malackowski et al. and respectfully submits that Malackowski et al. discloses a handpiece which itself stores the information such as the motor drive speed, electric current and maximum temperature in a non-volatile memory and the handpiece is driven based on the information read by the control console. However, Applicant respectfully submits that the operation of Malackowski et al. is based on the assumption that the handpiece contains or is driven by an electric motor. Since Malackowski et al. assumes that the handpiece is driven by an electric motor, the control program stored in the control console cannot be changed to other devices or handpieces. Therefore, Applicant respectfully submits that Malackowski et al. does not disclose that functional information consisting of a control program which is executed by the main body to drive the connection assembly and particularly does not disclose that the control program would generally involve any type of handpiece or instrument connected to the main body. In contrast thereto, in Applicant's invention the functional information of the connection assembly itself, namely the control program for the main body to drive the connection assembly, is prepared and provided in the connection assembly and sent to the main body when necessary. As a result, in Applicant's invention several kinds of connection assemblies such a motor, a turban, a scalar and the like can be controlled. Furthermore, the control program stored in the main body can be revised to a new control program depending on the connection assembly by merely connecting the connection assembly to the main body. With the new control program, the main body is able to drive a new connection assembly that could not be handled by the former control program.

In addition, Applicant has carefully reviewed paragraph 0169 of Malackowski et al. and respectfully submits that it is the database in the facility that maintains the patient records which receives an indication of the cutting accessories, trial components and implants fitted during the surgical procedure and the apparatus of Malackowski et al. merely date stamps

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these components and it is the date stamp which is transferred to the database of the facility which maintains patient records. Therefore, Applicant respectfully submits that Malackowski et al. does not disclose that usage history or user of the instrument would be performed by the connection assembly in conjunction with the main body of the dental apparatus.

In view of the above, Applicant respectfully submits that the structure and the effect of Applicant's invention cannot be achieved by Applicant's submitted prior art or Malackowski et al. taken singly or in combination. Therefore, Applicant respectfully submits that the claims 1 through 4, 7, 8, 10 through 15, 17 and 18 are not obvious over Applicant's submitted prior art in view of Malackowski et al.

In view of the above, therefore, it is respectfully requested that this amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

Respectfully submitted,

By 

William L. Androlia
Reg. No. 27,177

Quinn Emanuel Urquhart Oliver & Hedges, LLP
Koda/Androlia
865 S. Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: 213-443-3000
Facsimile: 213-443-3100
E-mail: thomasedison@quinnemanuel.com

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William L. Androlia

Name

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